

U.S. Patent Application Serial No. 10/056,226  
Reply to Office Action dated June 2, 2005

**Remarks:**

Applicants have read and considered the Office Action dated June 2, 2005. Claim 1 has been amended. Claims 2, 15, 16, 19, 20, and 22-24 have now been cancelled without prejudice. Claims 1, 3-13, and 21 remain pending in the present application. No new matter has been entered hereby. In light of the foregoing amendments and the following remarks, Applicants respectfully request withdrawal of the pending rejections and advancement of this application to allowance.

**§102 Rejections**

Claims 19-20 and 23-24 were rejected as being anticipated by Paul et al. under §102(b). Claim 20 was rejected as being anticipated by Ribarich et al. under §102(e). Applicants traverse the rejections. However, in order to advance prosecution, claims 19-20 and 23-24 have now been canceled without prejudice (Applicants do not otherwise concede the correctness of the rejections). In view of the cancellation, the rejections are now moot. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections.

**§103 Rejections**

Claims 1 and 3 were rejected under §103(a) as being obvious over Sugita et al.. Applicants traverse this rejection in view of the amendments to claim 1 above and the arguments below.

In the subject Action, claim 2 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants thank the Examiner for the indication that claim 2 recites allowable subject matter. Applicants have amended claim 1 by including the limitations of claim 2. As the Examiner indicated that claim 2 is allowable, claim 1 therefore should be allowable. Claim 3 is a dependent claim and so is also believed to be allowable over the art of record. Applicants do not otherwise concede the correctness of the

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Examiner's rejection and reserve the right to make additional arguments as may be necessary. Applicants respectfully request reconsideration and withdrawal of the pending rejection.

Claims 4-11, 13 and 21 were rejected under §103(a) as being obvious over Sugita et al. in view of Paul et al.. Claim 12 was also rejected under §103(a) as being obvious over Sugita et al. and Paul et al. in view of Stack. Applicants traverse the rejections. As discussed above, independent claim 1 should be allowable. Therefore, dependent claims 4-13 and 21 are also believed to be allowable over the art of record. Applicants do not otherwise concede the correctness of the rejections and reserve the right to make additional arguments as may be necessary. Applicants respectfully request reconsideration and withdrawal of the pending rejections.

Finally, claims 15-16 and 22 were rejected under §103(a) as being obvious over Paul et al. in view of Stack and claim 24 was rejected as being obvious over Ribarich et al. in view of Paul et al.. Applicants traverse the rejections. However, in order to advance prosecution, claims 15-16, 22, and 24 have now been canceled (Applicants do not otherwise concede the correctness of the rejections). In view of the cancellation, the rejections are now moot. Accordingly, Applicants respectfully request reconsideration and withdrawal of the pending rejections.

#### **Allowable Subject Matter**

Claim 2 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants thank the Examiner for the indication that claim 2 recites allowable subject matter. Applicants have amended claim 1 by including the limitations of claim 2. Independent claim 1 therefore should be allowable. Claim 2 has been cancelled.

#### **Conclusion**

This response is believed to be responsive to all points raised in the Office Action. Accordingly, Applicants respectfully request reconsideration and allowance of all of the currently pending claims. Although certain arguments were set forth supporting the patentability

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of the claims, Applicants note there may be other reasons and arguments that the original claims and the pending claims are patentably distinct. Applicants reserve the right to raise any such argument in the future and to pursue any claim scope in the future that is supported by the disclosure set forth in the application.

A speedy and favorable action on the merits is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicants' representative at (612) 336-4728.



Respectfully submitted,

MERCHANT & GOULD P.C.

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